LEAD IN NEWARK, NJ DRINKING WATER

Issue: On October 10, 2018, EPA Region 2 received sampling results from EPA's ORD indicating elevated lead levels in drinking water in two homes in Newark, NJ (148 and 399 ppb). EPA immediately notified the New Jersey Department of Environmental Protection (NJDEP), as the state has primacy over Safe Drinking Water Act (SDWA) rules, including the Lead and Copper Rule (LCR).

The elevated lead levels, as well as Newark Water Department's (NWD) recent elevated levels of haloacetic acids (HAA5), pose potential adverse impacts to public health (both within Newark proper and the communities purchase water from the city), and have received attention from the press.

Background:

- NWD is a public drinking water system serving over 270,000 people, many of whom have environmental justice concerns, and sells water to eight other consecutive systems.
- In 2016, in response to an EPA audit that found deficiencies in NJDEP's implementation of the LCR, NJDEP began corrective action, including evaluating large water systems such as NWD.
- As a result, in 2017 NWD collected LCR monitoring samples at new Tier 1[1] locations, resulting in a lead action level exceedance (ALE -- a lead level greater than 15 ppb).
- As required by the LCR after an ALE, NWD must develop a Corrosion Control Treatment (CCT) plan, for which NWD hired CDM Smith. CDM Smith collected the samples from the two homes and requested technical and analytical assistance from EPA's ORD.

Key Points:

- NWD has verified that the system has nearly 18,000 lead service lines (LSLs); approximately 5,600 lines are unknown (if LSL or not). LSLs are owned by homeowners, not NWD.
- As of December 31, 2018, NWD continues to exceed the lead action level. Elevated HAA5 levels were also reported for a second quarter.
- CCT modifications will need to consider simultaneous compliance with the LCR and the Stage 2 Disinfection Byproducts Rule (DBPR), to address elevated levels of lead and HAA5, respectively.
- It is not known when lead levels became elevated in NWD. The cause may be changes in pH (changed from 8 to 7 in 2014/2015), or because NWD began sampling at Tier 1 locations, or both.
- The City of Newark has distributed over 21,000 free filters to residents and is conducting sampling in residences if requested by customers.
- EPA engaged with Newark's Mayor in November and December (the latter together with NJDEP, HUD and HHS), to advance financial and technical support efforts. This has resulted in securing roughly $10M in DWSRF funding, of which $9M is effectively a grant (through principal forgiveness).
- HUD advises that roughly $1M of unexpended CDBG funds available to the city could be used as the 10% match required of low income households for the lead line replacement.
- Newark currently has an additional $36M in DWSRF loans for infrastructure projects such as rehabilitation and replacement of water distribution mains, replacement of the existing disinfection system, and emergency power generation for a key pumping station.

Talking Points on the following page

[1] Tier 1 sites are single family structures that contains copper pipes with lead solder installed between 1983 and 1988, or contain lead pipes and/or served by a lead service line (LSL).

TALKING POINTS:

- EPA has and will continue to provide technical assistance to NJ DEP, such as reviewing the draft Corrosion Control Treatment plan for Newark Water Department and providing comments.
- EPA will conduct public outreach and/or respond to public inquiries, as needed.
- EPA continues to work with NJ DEP on infrastructure funding opportunities, such as SRF funds, and funds from other federal agencies, such as HUD.